

REMARKS

Claims 1-49 were pending in this application before the present amendment. Claims 1, 9, 12, 13, 23-37, and 42 have been canceled. Claims 2, 3, 5, 7, 8, 10, 14, 16, 18, 20, 22, 38, 39, 42, 45, and 46 have been amended.

Applicant gratefully acknowledges the Examiner's indication of allowable subject matter. The Examiner indicated that claims 47-49 are allowed. Additionally, the Examiner indicated that claims 38-41 are objected to for being dependent upon a withdrawn claim, but would be allowable if rewritten in independent form including all of the limitations of the intervening claims. Claim 38 has been amended to incorporate limitations of withdrawn claim 24. Claims 2, 3, 5, 7, 8, 10, 14, 16, 18, 20, 22, 39, 42, 45, and 46 have been amended to correct their dependencies. Applicant believes that this amendment puts the application in condition for allowance.

Regarding the Examiners's rejection of claim 45 under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter applicant regards as the invention, Applicant respectfully traverses the rejection. The instant application at page 7, lines 5-13 discusses that "aluminum in the present invention does not travel through pores in the ceramic to contact the reactants and porosity of the preform is disfavored...because the formation of the composite is reaction driven and not driven by filling of the pores." Additionally, beginning on page 6, line 34, the application discusses that:

The more dense the preform, the faster the reaction will proceed because there are fewer voids and interstitial cavities providing no silica reactant. Preferably, densities greater than about 75 volume percent, and, most preferably, greater than about 85 volume percent are used, but the more dense the preform is, the faster and more uniform the reaction will progress.

The application provides support for the limitations of claim 45 and the limitations are not indefinite. One having skill in the art would understand what is meant by the limitations of claim 45. Applicant respectfully requests that the Office remove the rejection of claim 45.

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CONCLUSION

Applicant respectfully submits that, in view of the above amendments and remarks, the application is now in condition for allowance. The Examiner is encouraged to contact the undersigned to resolve efficiently any formal matters or to discuss any aspects of the application or of this response. Otherwise, early notification of allowable subject matter is respectfully solicited.

While Applicant believes that any fees that accompany this paper have been calculated correctly, the undersigned hereby expressly authorizes the Office to charge any required fees, or credit any overpayments, to Applicant's Deposit Account No. 03-0172.

Respectfully submitted,

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